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Scholars and political observers who follow the activities of the United Nations and in particular those who are interested in the Trusteeship Council's oversight of the colonial powers have been witness recently to a remarkable humanitarian phenomenon. They witnessed the investigation, in degree as meticulous as possible at such a removed distance, of indignant claims by the Meru, a small tribe of 25,000 living here on the slopes of Mt. Meru, against the British Administration of Tanganyika. The most careful hearing was given to the tribal representatives, one of whom, Kirilo s/o Japhet, was hustled up to Nairobi and fitted out with European clothes, and during his period of representation was enjoying for the first time in his life the stellar living standards of the Western world. At one point in the process of consideration, late in 1952, the Fourth Committee of the General Assembly "invited" the British Administering Authority to return to the Meru tribe the portion of the tribal lands from which some members of the tribe were transferred to other lands. Ultimately, though, no restoration of these lands was recommended by the General Assembly. Only a few weeks ago, on July 9th, Kirilo appealed once again to the Trusteeship Council against the forcible eviction. He insisted that the tribe would not accept compensation or any other scheme. The Meru, he said, did not want to adopt methods "employed by some Africans in Kenya,"² but I would like you to tell me what to tell my people." The Trusteeship Council once again refused to recommend that the Tanganyika Government return the land, decided³ to note the statement and adjourned debate on the subject. This attention of the UN, of itself, is illustrative of a new colonial age, when a leading metropolitan power can be called to task on a matter concerning one small tribe, a generation removed from the most primitive state. By earlier colonial standards this is the true marking of a sparrow's fall.

More recently an equally illustrative example is provided in the degree of intense interest taken by the Tanganyika Administration in grafting, almost entirely by persuasion, a few democratic institutions on the political structure of this same tribe. The careful attention of a major District headquarters, whose area, incidentally, encompasses a larger tribe, has been directed for the past six months towards, primarily, the introduction of popular participation into the internal government of the Meru tribe. The amount of

1. Son of.
2. A reference, of course, to the Kikuyu tribe and the Mau Mau violence.
3. By 6 votes to none, with 4 abstentions.

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solicitous spoonfeeding this has involved would be as astounding to a Nineteenth Century imperialist as the amount of indulgence by the high international body preceding it.

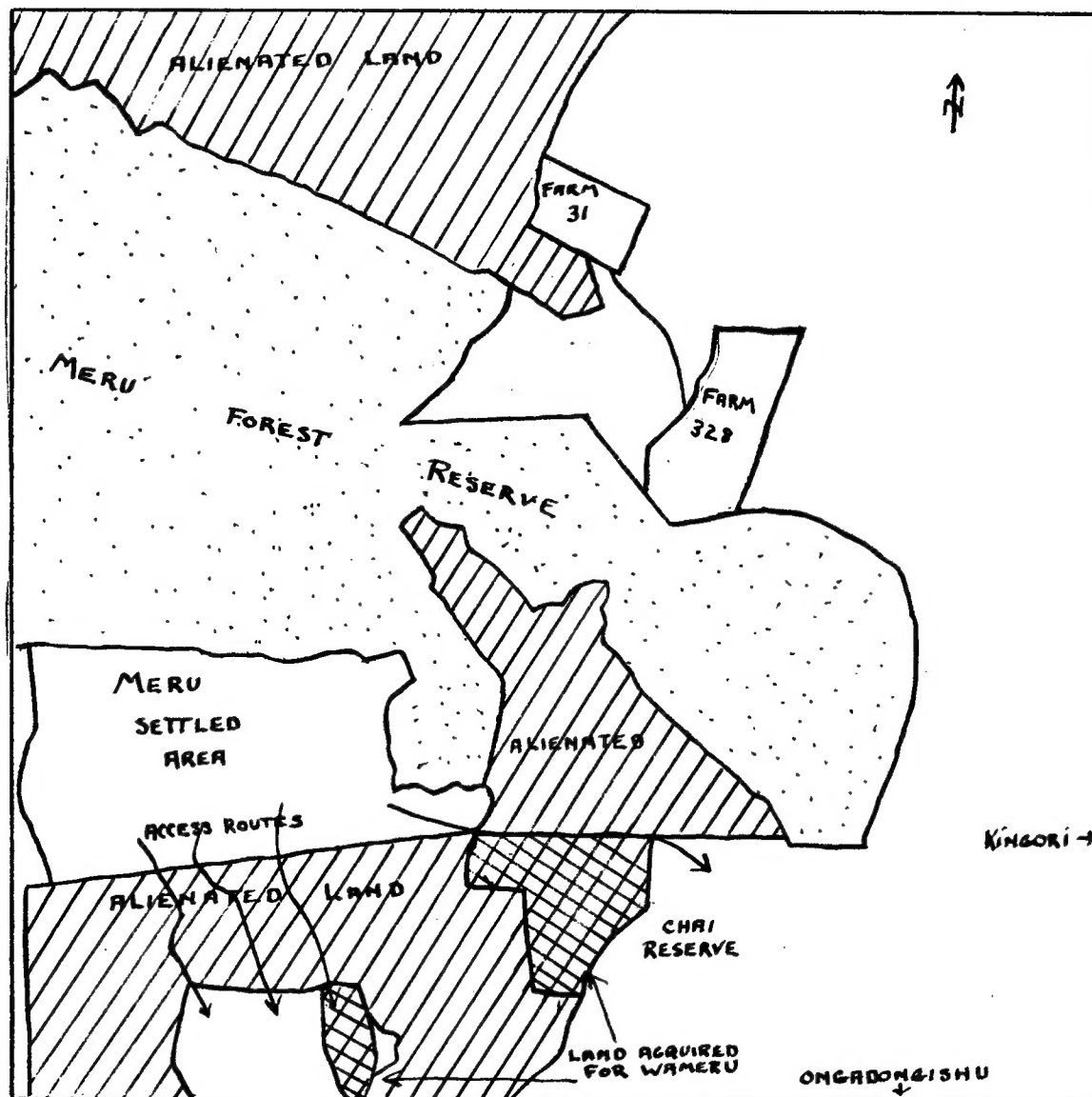
The drawing up of the new Meru constitution was quite obviously intended as an antidote to the widespread bitterness among the Meru engendered by the lands eviction. It is too early to ascertain the success of this measure, but the administration has some reason to be hopeful. Representatives of the political organization which spearheaded the land agitation, the Meru Citizens' Union, have for several months turned their attention to the task of drawing up the new constitution, with the help of government officers, and on July 25th the Meru people for the first time elected a new chief by secret ballot. The Tanganyika Government in Dar es Salaam, whose spokesman recently announced that there had been no recrudescence of agitation over land, and the local administrative officers here hope this is evidence that the cause for which Kirilo was fighting is no longer a burning issue among the Meru, that the political concessions, together with a social development plan, may be salving the wounds of the long conflict over land.

The background of the land problem is already familiar to the UN audience. Since the beginning of British administration the Meru and the Arusha, their neighbors here on the mountain, have felt themselves hemmed in in their traditional tribal areas on the southern and southwestern slopes by the ring of European land below them which had originally been alienated by the Germans. To ease the tribal land hunger, eight former German farms were given to the Meru and Arusha in 1925, and in 1929-1930 two more farms were purchased by the Meru - Farm Number 31 by a group of Meru and Farm Number 328 by the Meru tribe acting through its treasury - but these additions proved to be only palliatives. In the 1930's a few investigations and proposals were made, but no decisive action was taken until after the war. Mr. Justice Mark Wilson was then appointed to draw up a comprehensive plan for the re-distribution of alienated and tribal land on and around Kilimanjaro and Meru Mountains. His report, published in 1947, was accepted with modifications by the Secretary of State for the Colonies, and the Tanganyika Government's plans to implement the recommendations were published in two white papers on February 21 and June 23, 1949.

This general plan, briefly, provided that the Sanya Corridor, 130,000 acres lying between Kilimanjaro and Meru, should be made into a single homogeneous European block (linking the already alienated areas of Ngare Nanyuki and Arusha on the west with the alienated areas of Ngare Nairobi and Moshi on the east) for European ranching and dairying enterprise needed to supply the territory's growing demand for meat. The Sanya Corridor was largely uninhabited and used for seasonal grazing by the Masai and a few individuals of other tribes, but comparatively small numbers of Chagga and Meru were also settled there and they would have to be removed. The justification for the creation of this wholly European block was that cattle disease control would be facilitated - the underlying assumption being that the Africans could not undertake ranching and dairying projects on European standards. The plan also provided that some 22,000 acres of land alienated to Europeans was to be acquired for the use of the Meru and the Chagga. Between 1949 and 1951 a number of adjustments favorable to the Meru and the Chagga were recommended by the Northern Province

Land Utilization Committee, a body including both European and African unofficial members, and these were incorporated into the plan.

For the Meru, the scheme, thus modified, meant that some 312 to 350 Meru families or about 1,500 persons, representing about 6 percent of the total of 5,000 to 6,800 families or 25,000 persons in the tribe, would have to move from Farms 31 and 328 - the farms purchased in 1929-1930 - which covered an area of 5,800 acres in Ngare Nanyuki on the northeastern slopes of Mt. Meru.



Sketch Map of the Eastern Slopes of Mt. Meru

In return the Meru would receive 11,000 acres of alienated land acquired from the European holders, some of it compulsorily, during 1949-1951, and the Chai and Ongadongishu areas to the south, as recommended in the Wilson Report. They would also receive a further concession recommended by the Northern Province Land Utilization Committee - an area of 18,000 acres in Moshi District

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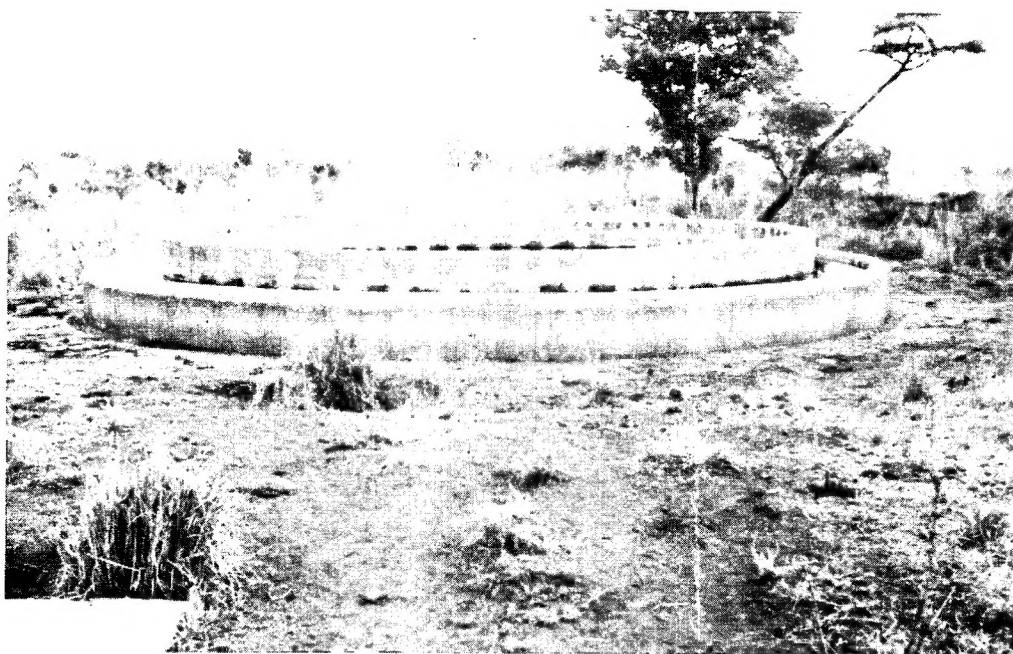
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known as "Kingori" (Farms 325 and 326 and part of Farms 324 and 327) and the use of important salt pans (including those on Farm 328) and access to them.

Kingori is east of and contiguous to the Meru settled area and only a



Domestic Watering Point in Kingori



Cattle Watering Point in Kingori

few miles from Farms 31 and 328. The Government maintained that Kingori was better land than the two farms which the Meru had held, and proceeded to develop it as a resettlement area. A pipeline some nine and one half miles long was laid at a cost of £12,218, and from this fifteen domestic watering points and two cattle watering points were provided. Two cattle dips were installed and a veterinary station with an African veterinary assistant in charge was set up. The Meru to be moved were to be paid compensation assessed at £14,000, provided with free transport, the period of settling in, and were to be exempted from taxation for one year. A development

temporary huts in the resettlement area and supplies of food for the period of settling in, and were to be exempted from taxation for one year. A development

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plan for the entire Meru area, including the provision of water, clearance of tsetse-infested bush, and additional educational and medical facilities, at a cost of £46,000, was also drawn up.



Part of Uncleared Kingori Area

and the Secretary of State for the Colonies, and the majority of the families living on the two farms refused to leave voluntarily.²

The Government, as it explained in a later White Paper, was convinced that its policy was "correct and will prove beneficial, from the point of view of better and more productive use of the land, not only to the community in general, but also to the Meru people." Its policy had always been "not to allocate land under Rights of Occupancy unless the Native Authority concerned has been fully consulted and, normally, its agreement obtained," and to permit the occupiers to remain or move elsewhere on payment of compensation. But in a case such as this, "where ... land is required in order to carry out a scheme of general benefit to the territory it was necessary to acquire land compulsorily in the absence of consent." Special legislation³ to permit compulsory removal of the inhabitants of the two farms was therefore passed by Tanganyika's Legislative Council. During the period November 17 - December 12, 1951 all effects on the two farms involved were removed, after inventory, to Kingori, almost 500 huts were destroyed, and cattle, sheep and goats were impounded.

The people were informed in 1949 that they would have to make this move, and the reasons for this were explained many times to the people in baraza.¹ The chief, who in 1947-1948 was the sole Native Authority, had agreed reluctantly to the proposals. But the Meru people, led by the Meru Citizens' Union, violently objected to the measure, sending appeals to the UN, the Governor,

1. Native gathering (or veranda).

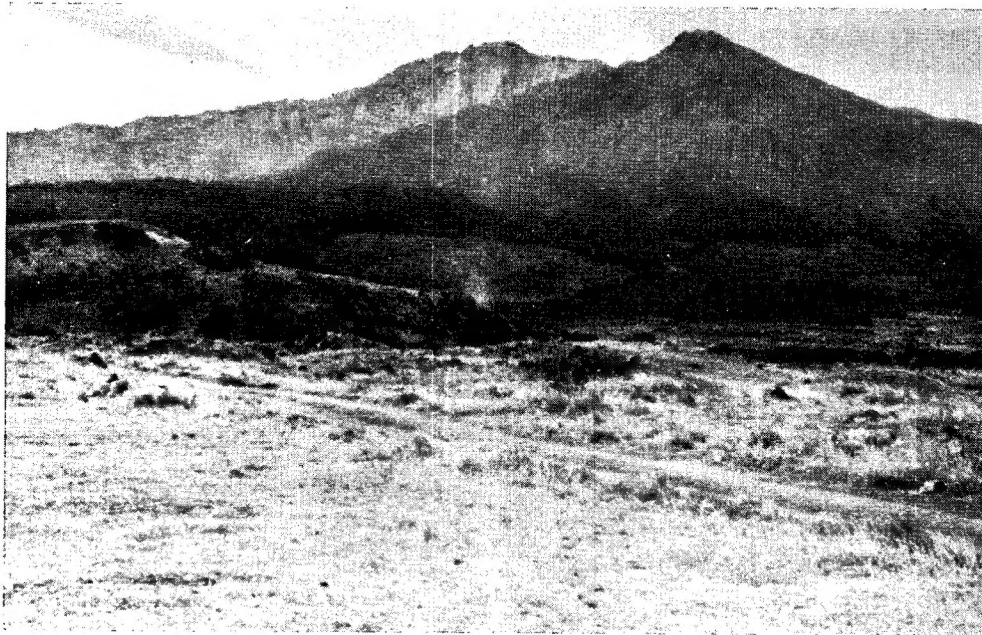
2. Unlike the Meru, the Chagga living in the Sanya Corridor agreed to move to the new land provided for them.

3. Ordinance to Facilitate the Implementation of the Wilson Report, Ordinance No. 48 of 1951.

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The Meru on the two farms adopted a "passive attitude" toward the move,



sitting around under the trees at some distance from their huts. Most of them returned to the settled area; only twenty-one families moved directly into Kingori, although others later drifted into it from the settled area. Only one Meru claimed compensation although eleven non-Meru collected £310.

The Northeastern Slopes of Mt. Meru, Near Farms 31 and 328

Most important, the Meru Citizens' Union had appealed in August 1951, before the eviction, to the Trusteeship Council of the United Nations to request the Administering Authority not to carry out the scheme. When the Council considered the petition on June 30, July 21 and 22, 1952, two representatives of the Meru Citizens' Union were there to present their case personally - Kirilo s/o Japhet, the Secretary of the Citizens' Union and a former Native Authority dresser, and Mr. Earle E. Seaton, a Jamaican lawyer from Moshi (partner of Mr. Dudley Thompson whom John has referred to in his earlier letters), acting as the Union's Legal Representative. They claimed the eviction had caused great loss and suffering and that the Meru were being moved to inferior lands to make room for only thirteen European settlers. They stated - falsely, as the Government's representatives pointed out - that the two farms covered 78,000 acres rather than the actual 5,800, that 3,000 people rather than 1,500 were affected, that one death and considerable illness resulted directly from the eviction, and that salt pans were being taken from them. The Administering Authority, in its written observations on the petition, and Sir John Lamb, the Special Representative of the Tanganyika Government, and Sir Alan Burns, appearing at the Trusteeship Council meetings, explained that the removal of the Meru was part of a large plan which would be beneficial to the tribe, that the new lands were better and greater in extent than the old, and that adequate compensation, free transport and temporary homes had been offered to them.

On July 22 the Council passed, by 8 votes to 1 (USSR) with two abstentions (UK and El Salvador), a resolution admitting that the movement was part of a large scheme advantageous to the majority of the natives of the Arusha-Moshi

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area but expressing its regret that the Administering Authority had found it necessary to move any of the Meru by forcible eviction. It suggested that in future schemes the Administering Authority follow the principle that African communities settled on the land should not be moved unless "a clear expression of the collective consent has been obtained." It also urged the Tanganyika Government to relieve the hardships suffered by the uprooted families, to grant generous compensation for losses sustained, to continue assistance in the resettlement area, to "intensify its educational campaign to convince the Meru people of the desirability of reducing congestion in the tribal area by movement to the new expansion areas," to put into effect a plan for community development and welfare, and to open up and develop new lands for cultivation and grazing. The Administering Authority had apparently failed to convince the Council that all these steps were being taken.

The Tanganyika Government soon replied with a White Paper giving the detailed background and reasons for its decision, and this was approved by African and Asian as well as European members of the Legislative Council. When the paper was laid on the table, the Governor addressed the Legislative Council, declaring "there is nothing in the resolution which conflicts with the policy which the Government is already pursuing, and the Government is already taking action on the very lines urged by the resolution." He denied that the Government had resorted to the use of force in a brutal way and asserted that the Administration carried out its unpleasant duties with the utmost consideration for the people concerned, provided them with assistance and offered them generous compensation. He claimed that "in the presentation of this case, both to the United Nations Trusteeship Council and to the public through the Press, there have been serious distortions of fact and the good name of the Government has been impugned."

The next inning went to the Meru. Several months later the UN General Assembly's Fourth Committee considered the case. Its members heard Kirilo s/o Japhet claim, falsely, that sixty-four people had died and 11,000 cattle, sheep and goats had been lost as a result of the eviction, that 78,000 acres had been taken from the Meru and that racial discrimination was at the bottom of the policy. The repetition of the Government's case by Mr. W.A.C. Mathieson and Sir Alan Burns had little effect. With the Near Eastern, South Asian and some Latin American countries, together with the Soviet bloc, overriding the administering authorities, Commonwealth and European countries, the Committee rejected a proposal seeking adjustment by consultation between the Meru and the Administering Authority, and passed, by a vote of 32 to 17 with 3 abstentions, a resolution disapproving the land transfer. The resolution expressed "regret that the steps taken by the Trusteeship Council to solve this problem have proved inadequate," and invited the Administering Authority to return immediately to the Meru tribe the lands from which 3,000 of its members had been expelled, to compensate the tribe for property losses and indemnify it for damages and inconveniences resulting from the eviction. It recommended "that the Administering Authority suspend the execution of any plan for the redistribution of land which would entail the eviction of indigenous inhabitants by force." It also recommended that the Administering Authority educate and train the tribe in modern agriculture and ranching.

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This victory for the Meru was received jubilantly by at least one leader of the Meru Citizens' Union who refused to believe the wife of one of our missionary neighbors when she tried to explain that the final decision of the General Assembly might be different. A few days later the General Assembly recommended no action in the case, turning down two resolutions, one calling on Britain to return the land to the Meru, and the other expressing regret at the removal and inviting Britain to consider the possibility of using part of the area in question to train the Meru in modern cattle raising methods. At first the Meru leader refused to believe this news, but eventually he, and the others like him, had to face their defeat, probably feeling more bitter toward the Administration than ever before.

It is easy enough to criticize both the Tanganyika Government and the Meru for their part in this land dispute. The very necessity for the creation of a solidly European block in order to advance ranching and dairying in the territory can be questioned. The scheme was based on the assumption that the Meru could not engage in ranching and dairying activities at European standards, even though Meru are growing coffee nearby by methods equal to those of their European neighbors. The refusal to accept this assumption and knowledge of the bitterness the move would engender were perhaps the reasons why the local administrative officers opposed the scheme. It was concocted, the locals say, by a group of European settlers led by Major Sarel E. du Toit, supported by Veterinary Department officers, and accepted in Dar es Salaam. The Government then persisted in its plan despite the rising opposition of the great majority of the Meru people and finally achieved the eviction by force. While the necessity and wisdom of the transfer can be questioned, the accusations that the Government used brutal force in the removal and directly caused great suffering and hardship on the part of the families affected are groundless. An adequate resettlement area was provided for them. To our lay eyes, during a tour around the mountain some months back with a District Officer, there seemed little difference between the two farms previously held by the Meru and the new Kingori area. Even if one does not accept the Government's contention that the resettlement area is better, there is no reason for believing that it is worse. Free transport, temporary homes and food, generous compensation and tax exemption were also offered to the Meru. Any real hardship sustained by them was the result of their own persistent refusal to avail themselves of the Government's offerings. The inflexibility of the Government was matched by the stubbornness of the tribe.

The final decision of the UN was more an approval than a condemnation of the Tanganyika Government's action. From a viewpoint here in the Northern Province, even those government officials who have considered the scheme unwise, would probably have shuddered at General Assembly approval of the Fourth Committee's resolution, based on exaggerated or untrue accusations of cruel misrule, for such approval might have set a precedent for continued irresponsible interference from outside in the local administration of Tanganyika.

Consideration of the case in the UN had deepened the rift between Government and the people. Meru hopes were raised and their resistance

strengthened, in anticipation of UN action, while the Government was placed in the position of countering blatantly false accusations. Right or wrong, the Government was faced, as the smoke cleared away, with a bitter, hostile tribe. And the task of bringing them back into a cooperative relationship essential to their future development fell to the local District administrative people.

Political as well as economic discontent confronted them. The forcible land transfer had engendered tribal-wide bitterness not only toward the Tanganyika Government but also toward the recognized Native Authority of the tribe, Mangi (Chief) Sante. Sante, disregarding the overwhelming opposition of his people, had reluctantly approved the Wilson Report and had not changed his position when his advisory council - appointed in 1949 but largely inactive since then - opposed it. Sante, moreover, had never enjoyed great popularity among his tribesmen. He, like his grandfather and father who preceded him as chief, was not of the traditional chiefly clan, and had been elected at a public meeting from two candidates. Since the thirties there had been a campaign - once successful - to replace him with Kishile of the chiefly clan. Some suspicion of the Leaders of the age sets, who have a traditionally important position in the Meru political structure, had also been aroused. The Leaders, unlike the Mangi, had not approved the scheme but neither - in the common Meru's view - had they done anything to oppose it. The Meru Citizens' Union, proclaiming the land rights of the common people, whose legal and traditional leaders had failed them, soon became the strongest force in the Meru country.

At first, in late 1951 and early 1952, the Government tried to keep the political pot from boiling over and concentrated on plans for social development. Late in 1952, however, Mangi Sante, either voluntarily or under pressure from the Citizens' Union, presented his resignation. This offered the local administration an opportunity - or forced it - to deal with the political as well as the social and economic malaise of the tribe. A committee was formed late in 1952 to draw up a new constitution for the Meru tribe - formally entitled the Committee to Examine the Administration of Local Government and Local Courts Amongst Wameru. Of its eighteen members only two were British Government officials, the District Commissioner of Arusha District, Mr. Michael Davies, and the Senior Government Sociologist of Tanganyika, Mr. Henry Fosbrooke, whose office is here in Arusha. The other sixteen members were all nominated by the Meru Citizens' Union. The District Commissioner acted as Chairman and two Meru, Raphael Mbiase and Samalieli Sabulaki, served as Vice Chairman and Secretary respectively. The meetings of this committee, carried on in the Meru language and Swahili, were not, of course, open to outsiders, but Mr. Fosbrooke has very kindly given me an opportunity to read the very full minutes which were kept in Swahili and translated into English.

The Committee held sixteen meetings between February 6 and May 18, 1953. At the end of the eleventh meeting, a subcommittee, including the two European advisers and four Meru members, was appointed to draft the new constitution incorporating the provisions which had been agreed upon. This subcommittee met on March 20 to discuss the form of the document; Mr. Fosbrooke and the Secretary drafted the document; the subcommittee agreed to it on March 24; and the full Committee accepted it at its twelfth meeting on March 26. The

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draft report was then presented to the Committee of the Meru Citizens' Union whose representatives were permitted to attend several of the constitutional committee's meetings (12th, 14th and 15th) to express their views on the document. Later the report was published and circulated among the Meru, and after a period for consideration it was discussed with the people at meetings held in mid-May at three centers in the Meru country. After a few modifications, agreed to at these meetings, had been incorporated in the report, it was finally accepted at a tribal-wide baraza on May 27th.

At the first few meetings the Government officials questioned the Meru on the political and social structure of the tribe. When I asked about the reason for this approach, Mr. Fosbrooke explained that it was intended as a means of drawing out the members and easing the tension. Although no thorough anthropological study had been made of the Meru, the Sociologist was able to check and interpret the information given during the meetings in the light of his intimate knowledge of the Masai and the Chagga. His interesting conclusion was that the political malaise of the Meru derives in large measure from the coexistence within the tribal political structure of two important institutions, a mangi, borrowed from the Chagga, and age-sets, borrowed from the Masai.

The Meru explained that the tribe included over 25 clans. They named 25 but were unable to recall the names of the others. Each of the clans (generally exogamous units¹) holds rights over land and has the important function of paying blood money or compensation after a crime by one of its members. Each clan has a Clan Leader, a Deputy Leader, a number of Helpers, one in each village area, and another clan leader responsible for sacrifices in accordance with old tribal custom. The committee members agreed that any member of the clan with ability could be chosen clan leader, that he did not have to be from the senior branch of the clan, but contradictory answers were given on the way in which he was chosen. Some said he was selected by all clansmen from the whole country and others that the Deputy Leader and Helpers would decide on a new Leader.

Next the extremely important role which the age-sets and their Leaders - the result of Masai influence - play in Meru political life was brought out. There are five age sets among the Meru, followed by the uncircumcized youths. Each age set in each of the 14 village areas (mitaa) has one or two Leaders (Washili) each with an Assistant. The two older age-sets in each area each have one Leader and one Assistant. The younger three age-sets in each area, having adjusted to the influence of extensive Lutheran missionary activity, each have two Washili, one Christian and one non-Christian, each with his Assistant. The important functions of the Washili were elicited by a series of indirect questions by the two European advisers. When asked who in the various areas would decide on such matters as roads, furrows, schools, the Meru assigned each of these duties to the Washili.

The Headman (Jumbe) for each of the 14 areas is chosen by the Washili and Assistants of all age-sets and by the Leaders of the clans in the area - not necessarily from the dominant clan in the area. The Jumbe, assisted by the Washili, then chooses an assistant. The Mangi and the District Commissioner could veto the selection of a Jumbe after obtaining the general agreement of the

1. Marriage within the clan is permitted if the man and woman are from different lineages, but the man must pay a higher than usual brideprice to remove the shame of marrying his own "sister."

Washili. That the Committee members considered the Jumbe - although chosen by the Washili - as an executive officer of the Mangi and the Leaders as the representatives of the people was indicated by the feeling of the Committee that a jumbe should not be an age-set leader because of possible conflict between an order from the Mangi and the wishes of the people. A survey presented to the Committee showed that the majority of the present Jumbes were given rank by the Washili, only two had the rank of Leader themselves, and the majority are illiterate.

When the Committee turned to the task of drawing up the new constitution, one of the members told the advisers that if they were successful they would be remembered by the Meru as Sir Charles Dundas is by the Chagga. The officers, when requested, described several types of native authorities, but declined to present a plan of their own, stating that it would be better to draw up a plan together.

The major question of the composition of the Native Authority which would have all powers specified in the Native Authority Ordinance was raised. The officers asked the Meru to choose themselves where this authority should rest - in the Mangi, in the Council or in the Mangi-in-Council. The Meru, as Mr. Fosbrooke expressed it, wanted both the ancient and the modern. They did not want to abandon the office of Mangi to which they were accustomed, but they were also - perhaps influenced by the new Chagga set-up - anxious to have a council. Despite the insistence of several members at earlier meetings that the Mangi should not be simply Chairman of the Council, the Meru members of the Committee finally agreed that the Native Authority should be a Council, called the Meru Council, in association with the Mangi who would be Chairman of the Council.

Early in the discussions Mr. Fosbrooke suggested that the Council should take one of two forms: (1) a large body meeting infrequently and considering important matters only, the day to day administration being undertaken by sub-committees, or (2) a smaller council meeting monthly and handling day to day matters itself. The Committee decided on a large council of 49 members which would meet four times a year. But their views on the executive structure were not clearly formulated. Raphael Mbise raised the question of the position of the traditional Counsellors of the Mangi who in the old days provided hospitality for guests of the Mangi. The Sociologist, warning that this matter required careful consideration, suggested that if these officers were resuscitated, it might be a good idea to have some as executives and others in a judicial capacity so that in either sphere the Mangi could not act according to his own personal whim. The Committee also considered the more modern proposal of the Citizens' Union that certain persons should be in charge of education, water etc., and after much argument decided that these office holders should be inspectors of a sort and should not themselves instruct dressers and teachers, since this was the work of the Government Medical and Education Officers.

1. Briefly, the duties, as explained to the Committee, are to issue orders, verbal and written, and pass rules which must be confirmed by Government, to make known the wishes of the people to Government and pass on orders of Government to the people.

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At this point the Sociologist suggested that sub-committees, elected by the Council from its own members to discuss and agree on general policy, might be the answer. The members agreed that there should be four sub-committees: a Finance and General Purposes Sub-Committee to control the Treasury's funds, to examine books at any time, and to advise on and control all buildings; a Social Services Sub-Committee to supervise medical work, health and education; a Natural Resources Sub-Committee to supervise all matters concerning agriculture, animal husbandry, forestry, water development and tsetse control; and a Judicial Sub-Committee to hear appeals from the courts of subordinate magistrates and to arbitrate differences between other sub-committees and village councils. The first three sub-committees would each have a chairman and four members. The Judicial Sub-Committee would have the Magistrate, who is not a member of the Council, as Chairman, a Vice-Chairman and four members from the Council.¹

The Mangi would be chief Executive Officer of the Council throughout Meru country. He, the Vice-Chairman of the Meru Council², who would replace the traditional Chief's Deputy and would take the chair at Council and Executive Committee meetings in the Chief's absence, the Chairmen of the first three sub-committees, and the Vice-Chairman of the Judicial Sub-Committee would form the six member Executive Committee which would meet at least once a month to carry on day to day administration. The members of the Executive Committee (other than the Mangi) would be called by the traditional name - the Counsellors of the Chief or Wanjama - but their duties had been changed completely to fulfill the needs of a modern Native Authority.

Of the Meru Council's 49 members, 42 were to be chosen from the various mitaa, each mtaa having from 2 to 5 counsellors in accordance with the number of its taxpayers.³ In adopting this formula - a modified version of a proposal by Mr. Fosbrooke - the Committee had rejected the original proposal of the Citizens' Union that each area have the same number of counsellors. The candidates from each mtaa would be chosen by the Washili and the Assistants in that village and then accepted or rejected by the people of the village. The Committee insisted on this system which followed traditional custom, despite the statements by the advisers that this was not democratic and that the people should make the nominations and vote. In the long argument on this point Gamalieli Sabulaki, the President of the Citizens' Union, supported the Government officers' view. On another small connected point, however, tradition was disregarded. The Committee rejected the suggestion of one member that each age set in each area should choose one counsellor, agreeing that it was unnecessary to follow tradition in the new setup. The other seven members of the Meru Council - as suggested by the District Commissioner - were to be chosen by the Council itself. This arrangement was intended to allow qualified men who might not be elected - in small villages, for example - to serve

1. In this respect the Meru executive structure differs from that of the Chagga - which the President of the Citizens' Union wanted to follow. The Mangi Mkuu (Paramount Chief) of the Chagga is Chairman of all sub-committees of the Chagga Council.

2. Chosen by the Council from its own members for two years.

3. An area with under 300 taxpayers would have 2 counsellors
 An area with 300 to 500 taxpayers would have 3 counsellors.
 An area with 500 to 700 taxpayers would have 4 counsellors
 An area with over 700 taxpayers would have 5 counsellors.

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on the Council. Other persons to be known as coopted members could be invited to join the Council when their advice was required on a particular matter but they would have no vote.

After the advisers explained the system and after much argument, it was agreed that the Council should have a four year life. After two years, however, one-half of the members chosen in the mitaa would resign. Those to stand down would be designated after the two years by the Leaders and Assistants, who would then choose the replacements. All seven nominated members would resign after two years.

The Committee agreed that the Headmen of the 14 villages should be the executive officers of the Council, without seats on the Council. This position for the headmen had been supported by the Sociologist and opposed by the District Commissioner - one of two instances in which their proposals differed. Each headman would be chosen in his village by the traditional system. The Leaders and Assistants would suggest a name to the people who could then agree or disagree, and the name approved in the village would then be placed first before the Council and then before the District Commissioner for confirmation. A headman could be removed either on the initiative of the Leaders and Assistants with the approval of the Council and the District Commissioner, or on the initiative of the Council or the District Commissioner with the approval of the Leaders. For several meetings the Meru insisted that each headman should have a paid assistant. On this question the European advisers again took different positions. Mr. Fosbrooke, in an attempt to get the members to abolish the offices of assistants, suggested that the posts of headmen be abolished since, with no judicial functions, no seats on the Council, and assistants to do the work around the villages, they would be left with only one job to do - to draw their wages at the end of the month. As the result of his continued insistence that either the headmen or the assistants should be abandoned, the Committee finally agreed that assistant headmen were not necessary, but the headmen could appoint and pay for assistants themselves if they wished.

A notable feature of the new constitution was the removal of judicial functions from the Mangi and the Headmen, and the setting up of a new, purely judicial, wing of the Native Authority. Although Raphael Mbiye - one of the most progressive of the members - favored the continuation of the old system with headmen holding court, the Committee insisted on three paid Subordinate Magistrates to take over the judicial functions of the headmen. The view of the advisers that there would not be enough work to justify payment of the three salaries involved and that one magistrate should be appointed to go around to hear cases in the three courts was firmly rejected on the grounds that this system would work a hardship on the magistrate and permit favoritism. The Subordinate Magistrates would be chosen by the Meru Council, subject to confirmation after two years. Each magistrate, when sitting with three elders in the villages, would exercise the jurisdiction of an Intermediate ("I") Court over several villages.

Above the Subordinate Magistrates there would be the Chief Magistrate, also chosen by the Meru Council and subject to confirmation by the Council every two years. He would have the authority of an "A" class court of original jurisdiction, when sitting with at least three elders chosen by

the Council, and also jurisdiction as an appeal court for cases arising from the Subordinate Magistrates' Courts, when sitting with at least three members of the Judicial Sub-Committee. Appeals from the Chief Magistrate would go to the District Commissioner. At a later meeting one member suggested that appeals go to the Meru Council before they reached the District Commissioner. Despite explanations from the District Commissioner, Mr. Fosbrooke and several members that the Council should not be involved in judicial work, he continued to argue, but finally sat down, having received no support. Thus, the dual executive-judicial authority formerly exercised by the Mangi and the headmen was abandoned, and only the members of the Judicial Sub-Committee drawn from the Meru Council would exercise both judicial functions (as members of the appeal court) and legislative functions.

It was agreed that the constitution should be provisional. Should weaknesses become apparent in the next four years, the Council could submit ideas to Government in order that changes might be placed before the people for their approval or rejection.

The most controversial question throughout the meetings was the way in which the Mangi should be selected. The advisers wanted the Mangi elected by all the people (male taxpayers) from any clan rather than selected from the traditional chiefly clan (Kaaya). They proposed that one candidate be nominated by the people of each area, with the consent of the Washili; that the Washili of all the Meru country should then choose two or three candidates from among these nominees; and that finally the Mangi should be elected by all registered taxpayers, each exercising one secret vote.

The Committee members immediately divided on this issue. One group insisted that the Mangi simply be chosen by the Leaders and their Assistants, stating that "Leaders and Important People" were sufficient for the common people, and that, if an election were held, the unsuccessful candidate would plot against the one who was elected. One member asked Mr. Fosbrooke if he wanted to change old Meru customs, and the Sociologist replied the aim was to support the common people and not to enforce the selfishness of the Leaders. Another group, including the President of the Citizens' Union, Gamalieli Sabulaki, and Raphael Mbiase, wanted to consider means of allowing the people to express their views and urged that the Mangi be elected by the people from two candidates. Some, taking a middle course, opposed the nomination in each village, suggesting that the people simply vote on two candidates nominated by the Leaders.

At this point of impasse the Meru asked to refer the matter back to the Washili. Mr. Fosbrooke, supported by two of the members, opposed this suggestion on the grounds that the purpose of the Committee was to give an opportunity to the common people, who had not been served by the Leaders, to express their views, and that the Leaders would form a wall between the Government and the people. It was agreed, however, that the Committee should consult with the Leaders, and this was done at a meeting on March 6th. The Leaders refused to approve the proposal, and Mr. Fosbrooke later referred to this as an example of the selfishness of the Leaders in denying the common people a voice in government.

At the next meeting the advisers withdrew after a long discussion and the argument continued until mid-afternoon. An agreement was finally reached

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that the Mangi should be chosen by vote and that this proposal would be put before the people for agreement. At the next meeting the members opposed to the vote insisted the people had turned down the suggestion, but, when the Sociologist inquired, he discovered that ten members of the Committee had not been present at the alleged meeting of the people. Despite the objection of the conservative group, it was decided - on the advisers' suggestion - that a sub-committee be appointed to go around village by village to find out whether voting was acceptable to the people.

If voting was approved by the people, some members wanted the polling to take place the same day as or three days after the nominations by the Leaders. The Government officers opposed this suggestion, and it was agreed that the period should not exceed a week. Mr. Fosbrooke maintained that Meru matters could not be completed quickly and that if the nominations and polling were held consecutively the people would tire and the Leaders by themselves would make the decision. The Committee members were emphatically opposed to allowing candidates to tour the country and make campaign speeches. When the District Commissioner inquired whether there should be an open election or secret balloting, Mr. Fosbrooke expressed the advisers' preference for the secret ballot, warning that there would certainly be revenge after an open election. The members' doubts on the possibility of secret balloting, among a tribe with many illiterates, were dispelled when the advisers suggested a system of using pictures of the candidates surrounded by a particular color and ballot cards of the corresponding colors. The Committee agreed on this - to my knowledge, the first system of secret balloting in a British African territory in which portraits of the candidates rather than symbols were used. The polling was to take place at three stations between 9 a.m. and 4 p.m. on the same day. Each polling station - as suggested by the Sociologist - was to be supervised by three "scrutineers", one European Government officer and two Meru from villages other than those of the candidates.

Mr. Fosbrooke suggested that the Mangi, once elected, should hold office for two years like the counsellors and should then be confirmed by the new council elected by the people. In this way the people every two years could, by pledging the newly elected counsellors, decide whether the current Chief should remain in office, but the Chief would be spared the indignity of having to campaign every two years for a popular election. Mr. Fosbrooke used the analogy of Islamic, Catholic and Protestant marriage, the first being too easily broken, the second indissoluble, and the third dissolvable in cases of complete incompatibility, and suggested the third type. But the Committee - several of whose members had wanted the Chief installed in perpetuity - decided that the Mangi should hold office indefinitely with a vote every two years by the new Council - whose membership would be determined by the Leaders rather than the people - on his resuming the chair. If he failed to be reelected Chairman, he would have to resign and a successor would be chosen according to the procedure for the election of the Mangi.

The draft report provided for the system which the advisers had suggested - the nomination of one candidate by each village; the selection from these nominees of two candidates by a joint meeting of all Leaders and Assistants; and finally the secret balloting by all registered taxpayers.

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The issue was by no means settled, however, with the overruling of the reactionary element within the Committee and the completion of the draft report. At its thirteenth meeting the Committee itself decided to delete the section of the draft report permitting each village to nominate one candidate and inserted instead a provision that the two candidates were to be chosen by a joint meeting of all the Leaders and their Assistants. They also agreed to the suggestion of the Secretary of the Citizens' Union that the elected Mangi should be the seventeenth in succession.

Then a new attack on the popular vote was launched by other members of the Citizens' Union, including its Secretary, and by the President of the Meru Coffee Growers' Association, who were invited to join the Committee at the twelfth, fourteenth and fifteenth meetings to present their views on the draft. They insisted that the indigenous system be maintained, with the chieftainship returned to the Ndemi section of the Kaaya clan, and claimed that voting would not work because of widespread illiteracy and that it would divide the people among themselves. They attacked the members of the Committee, accusing them of self-aggrandisement, and claimed the leaders of the Citizens' Union (Gamalieli Sabulaki, Gotthelfu, and Kalebi) had abandoned the people.

They also, like the conservative members of the Committee, tried to prevent village by village discussions - apparently fearing that the vote would be approved by the people. They insisted instead on one large meeting of all Meru to accept or reject voting, perhaps because they were convinced that such a meeting could be more easily controlled. The District Commissioner opposed this suggestion on the grounds that there would not be time at one meeting for everyone to speak and some would be too timid to ask questions. Mr. Fosbrooke informed the Citizens' Union representatives that they had been invited to consult on the new constitution and not on the administrative details of the way in which it was to be placed before the people.

The opponents of the vote also tried to arrogate themselves the Committee's power of decision, suggesting that "men of consequence" should hold a meeting in the Meru language in the absence of the Government officers and come to an agreement. They were told this was what the Committee was trying to do, and Gotthelfu and Raphael opposed such a meeting because it would indicate lack of confidence in the advisers. A similar attempt by the same group to usurp the powers of the Committee had been made earlier. The Secretary of the Citizens' Union had sent a letter to the Committee saying that the matter of the vote would be decided by the Union. Mr. Fosbrooke on that occasion had stated firmly that the Committee would receive advice from the Union and from the Meru Coffee Growers' Association but would make its decisions without being influenced by any one party.

Several members, including the President of the Citizens' Union, Gamalieli Sabulaki, and Raphael Mbiye, again strongly supported the new system, insisting that the Meru on the whole were satisfied with it, and that it was being brought into disrepute by a minority, a small geographic section, who had assumed a reactionary position from motives of self interest. They denied that members of the Committee were seeking the chieftainship for themselves. One member assured the opponents of the vote that there were no grounds for the suspicion that Government wanted voting as a means of installing

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one Chief for the whole of Arusha District, in which case the Arusha would defeat the Meru by force of numbers. The District Commissioner offered to put this assurance in writing, and Mr. Fosbrooke told them the Government had no intention of amalgamating the tribes without their consent. He also denied that the Europeans and certain others on the Committee had an idea who should be Mangi. He reminded them that if they really wanted to revert to the old days, all new things should be abandoned, including coffee and clothing. The District Commissioner insisted they had not rejected the indigenous system but had blended it with the new, to give the Meru greater freedom than that enjoyed by other tribes, and allow them to choose whichever ruler (misprinted rumour in the minutes) they preferred.

At the second of these stormy meetings, the District Commissioner told the members that he and Mr. Fosbrooke had devoted considerable time over a three month period and had done their best to incorporate the views of the majority of the tribe into the new constitution. The Committee had turned out a workable and good constitution. If after all this time the people still distrusted the advisers, there would be nothing but difficulty ahead in working out something which would be of benefit to the Meru. He strongly and openly refused to accept the position of being told where he could go in his District to hold barazas - to being treated as a prisoner in his own District. His whole aim was to get the constitution settled to enable activities to go forward with the agreement of the people. He commented on the tendency of a few to reject new ideas simply because they were new. He appreciated that the system of voting was an innovation, but it was not an innovation elsewhere, and he begged the Meru to have some trust in what was recommended to them not only by the advisers but by their own nominees, and give it a trial.

At the end of the next meeting when the argument had become even more heated, he finally "pulled his rank" and brought the discussion to a close. He noted that a large number had shown up at the meeting and no one had raised a single objection to anything in the report save for the vote.¹ One group favored this and the other opposed it. In assessing the feelings of the meeting it was apparent to him that those who favored the vote were in the majority and he therefore saw no necessity to refer the matter to each village, as he had intended, but suggested meetings at the three centers of Nkoaranga, West Meru and Towela.

The popular vote was approved at these meetings, but among the changes agreed to and incorporated into the report at the final meeting of the Committee was a provision that the acceptance of an elected Mangi did not imply the acceptance of the vote in other matters concerning the Meru, except by agreement with the majority of the tribe. The report thus modified was accepted at the tribal baraza held on the 27th of May.

1. A few other objections had been raised at the twelfth meeting by Jonathon Gideon, the Secretary of the Citizens' Union. He had insisted, for example, that the Meru Council be enlarged to 64 members, all of whom should be selected in the villages.

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There is one most striking feature of these discussions. There was not - as an outside observer might have expected from the all-Citizens' Union constitutional Committee - a united reaction against the Mangi, the Washili and traditional processes. During the Committee meetings the members were clearly split into two camps - the progressives, who wanted to give the people more power in their government through popular elections, and the reversionists, who seemed determined that the Leaders should retain dominant authority. When the conservatives on the Committee had been outvoted and the Committee itself had reached agreement on a draft report providing for election of the Chief by all taxpayers, other members of the Citizens' Union resumed the fight against the popular vote. At both stages, the reversionist group tried to prevent the question from being presented fairly to the people, and even attempted to seize the power of decision from the Committee. This group, it should be noted, seemed to be working very closely with the Leaders, whom the Citizens' Union had earlier criticized; they had drawn up proposals for the new constitution in consultation with the Leaders, and, during the Committee meetings, had insisted on referring the matter of the vote back to them. The Citizens' Union, united on the land issue, had split wide open on the question of the tribe's political future - its Secretary in the reversionist camp and its President in the progressive camp.

The Government advisers were placed in the position of pushing for democratic changes which would give more power to the people rather than to the Leaders and the Mangi. With the support of the progressive element in the Committee, several advanced proposals were incorporated in the new constitution, but a number of others were voted down. The constitution, as a result, is in many respects more advanced - more modern and democratic - than the old, but it retains more of the traditional undemocratic features than the advisers or the progressives would have wished.

The Meru have moved a long way up the scale by which native authorities are judged. A Council, rather than a Chief alone, has become the Native Authority. The Chief has been relegated to the role of Chairman of the Council, and he must be elected by all male taxpayers and confirmed every two years by the Council, rather than being installed in perpetuity from the traditional chiefly clan. A committee system has been adopted and separation of the judicial and executive branches has been achieved.

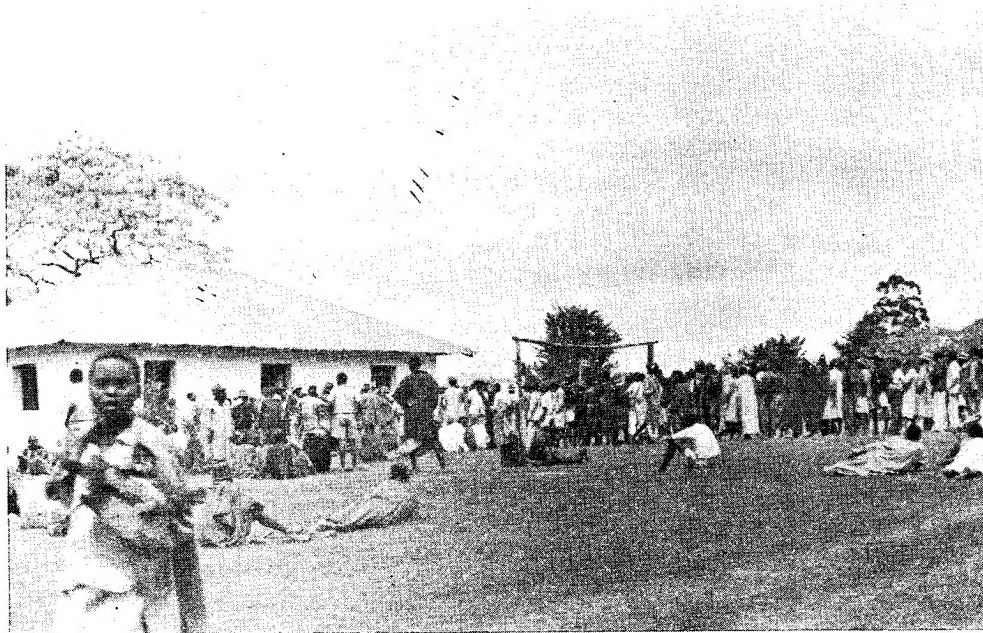
But greater power still rests in the Leaders than in the people - despite the Government advisers' efforts. The Leaders nominate headmen. They, rather than the people, elect the counsellors and decide which ones will step down after two years. They, rather than the people, nominate candidates for the election of the Chief. Since the Council has the power to confirm the Chief after two years or force his resignation, the Leaders, through the Counsellors - who depend on the Leaders for reelection - might also control the succession to the chieftainship. One wonders if the Leaders will not continue to control the entire political setup.

When the constitution had been accepted finally and put into effect, the Leaders chose the members of the new Council and then nominated the two candidates for Chief - Sylvanus Kaaya, a member of the traditional chiefly

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clan and an employee in the Lutheran Mission hospital at Nkoaranga, and Raphael Mbiye, the progressive, outspoken Vice-Chairman of the Constitutional Committee. Raphael was formerly in charge of the Mission churches and dispensary in the area from which the Meru were evicted and is now choir leader and Swahili teacher at the Nkoaranga Lutheran Mission.



Polling at West Meru



Polling at Nkoaranga

The polling took place inside the barazas or courthouse buildings at Nkoaranga and Towela and the school house at West Meru on July 25th. Late that morning, driving up the slopes of the mountain over a rutted, winding, dirt road, we visited two of these stations, West Meru and Nkoaranga. On the broad lawns in front of each, a long line of Meru men, dressed in blankets or European shorts, stood patiently waiting their turn in the booth, while others sat around in groups on the ground. At Nkoaranga we had the opportunity of watching, through a window, the operation in the polling room itself. Each man entered alone and crossed to the table at the opposite wall where the two Meru "scrutineers", both from villages other than those of the candidates, were seated. On

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the wall above the table were large photographs of the candidates, that of Raphael surrounded by a wide border of blue paper and that of Sylvanus similarly framed in yellow. On the table was a debbe - the ever present four gallon container of East Africa - slit at the top, and two stacks of balloting cards, one blue and one yellow. As the voter approached the table, the two "scrutineers" pointing at the pictures, asked him which man he wanted, never mentioning the names of the candidates, for there might be a tendency to vote for the first name mentioned. The voter then pointed at the picture of his choice, the scrutineers indicated the ballot cards of this candidate, the voter placed one of these in the debbe and walked out through another door, making room for the next voter. The President of the Citizens' Union and another member of the constitutional Committee were also in the room, watching the proceedings silently and carefully, and perhaps "scrutineering" the "scrutineers." Occasionally some of the suspiciously young men were challenged on their taxpaying status. They were not asked if they had paid their tax this year - a question which might have given rise to suspicions that the polling was a means of checking up or exacting more taxes. They were asked instead how many years they had been paying tax.

There at Nkoaranga it was a landslide for Raphael Mbise, who is now living only a few hundred yards away on the Mission grounds. At West Meru, the "cradle" of the Meru and center of the traditional chiefly clan, almost all the votes had been for Sylvanus. The third area, we were told, was splitting its votes between the two candidates. When all the votes had been tallied it was found that some 2,000 of the total of 5,000 taxpayers had turned out to cast their ballots, and that Sylvanus had been elected the new Mangi by a vote of 1,007 to 1,164. This was a victory of the conservative western area, from which the reversionist members of the Committee had come, over the more progressive eastern area. The election, like the discussions in the Committee, had clearly revealed the rift between the two areas, of which the administrative officers had long been aware.

Raphael, who is giving me Swahili lessons, has told me that Sylvanus won the election only through the "hila" (craft, stratagem, trick) of the West Meru people. He claimed many of them voted once, went away and changed their clothes, and returned to vote the second, third or fourth time. One of the scrutineers was from West Meru and deliberately overlooked the offenders; the other observer, from another area, detected two of them before he was silenced by threats from the West Meru citizens. The West Meru people, Raphael went on, even imported Arusha to vote in the purely Meru election. A deputation from Nkoaranga confronted the West Meru with this information. The latter offered to settle the matter by paying a fine, but their Nkoaranga neighbors indignantly refused this. When they took the news to the District Commissioner, he told them he was very sorry but if a second election were held the West Meru people would cause trouble. "Let's leave it," he suggested. And, Raphael told me, "We left it." Most of this allegation, I think, is the soothing rationalizing of a defeated candidate - expressed with the floral African imagination. The story from the government side is that the two offenders were forced to admit their offense and reprimanded publicly and that the defeated group, somewhat soothed by this, conceded defeat.

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no bitterness on Raphael's part and no hint of plans for a formal opposition party to win the chieftainship later on. But this does not mean that plans are not already being made. Success would depend on winning the support of the Leaders and the Counsellors. Raphael thinks most of the Leaders and Counsellors do not like Sylvanus. If this is true, or if it becomes

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true within the next two years, the Meru will elect a new chief - perhaps Raphael. If he is wrong, there is always the possibility that he and his followers may gradually come to think of themselves as the frustrated unrepresented minority - a new headache for the local administrators.

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One other uncomfortable question remains unanswered. Can a new political setup, even if satisfactory to the majority of the Meru people, salve the wounds which they feel they have suffered for the sake of land-grabbing European settlers? Do the Meru consider the new constitution adequate compensation for the lost farms? The answer [] is no. Kirilo, who returned home recently, is already planning to travel to New York once again for the General Assembly meeting in October. In the event that the UN does not change its position, will the Meru forget the large European coffee plantations surrounding them here on the mountain-side and live peaceably and uncovetously with their European neighbors? Or is this merely a peaceful lull before another, stormier, demand for more land?

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